

**APPENDIX B**

**Ordinance Establishing Planning Commission\***

**Section I.** There is hereby created a Planning Commission for the County of Spalding, which shall be known and designated as the "Spalding County Planning Commission."

**Section II.**

- a. The Planning Commission shall consist of five (5) members. Each member shall be nominated, respectively, by one of the five Commissioners on the Board of Commissioners of Spalding County. Each member shall be at least twenty-five (25) years of age and registered in Spalding County as an elector for a period of at least two (2) years next preceding his (her) appointment. (#A-03-20, 08-04-03)
  
- b. **Ex-Officio Member:** A designee or representative of the Griffin-Spalding County Board of Education shall be an ex-officio member of the Planning Commission. The ex-officio member shall advise the Planning Commission regarding the impact of developments proposed in rezoning and/or special exception applications on school facilities. The advice of the ex-officio member may be presented by the ex-officio member in person at the meetings of the Planning Commission or tendered in writing in advance thereof. The Planning Commission may consider the advice of the ex-officio member, but it shall not be bound thereby in making its recommendation to the Board of Commissioners. The ex-officio member shall not vote on any matter pending before the Planning Commission. The ex-officio member shall not be counted for purposes of determining whether a quorum of the Planning Commission is present for the conduct of business. The term of the ex-officio member shall commence on September 1, 2003. (#A-03-26, 09-15-03)

**Section III.** The office of each member shall be numbered and designated, respectively, by the five (5) posts (or offices) as hereinafter set out. The initial Planning Commission shall consist of the five (5) members of the Spalding County Planning Commission in existence as of March 1, 1994, each of whom held the post for the term beginning March 1, 1994, respectively, as follows: (#A-03-20 - 08/04/03)

<u>Post No.</u>	<u>Name of Member</u>	<u>Expiration Date of Original Term</u>
1	Jimmy Hodo	12-31-96
2	Elmer George	12-31-94
3	H. Ed Beall	12-31-96
4	Joe Bramlett	12-31-96
5	Deborah Hickox	12-31-95

**Section IV.** Upon the expiration of the current term for any member or upon the vacancy in any office, the member of the Board of Commissioners representing the Spalding County Commission District that has the same number as the above designated post of the Planning Commission member, shall nominate a person, not excluding the incumbent Planning Commission member, for consideration by the Board of Commissioners for appointment to the Planning Commission. Such nominee shall be appointed to the Planning Commission by the Board of Commissioners unless at least three (3) of the other members of the Board of Commissioners decline to confirm such nomination, in which event the nominating Commissioner shall nominate another person for the Post.

After expiration of the term for the Planning Commission Posts 1-5, all succeeding terms of each member of the Planning Commission shall be for four (4) or less years, and, as to Posts 1-5, shall coincide with the term of office of the Commissioner making such nomination. Any vacancy on the Planning Commission shall be filled, respectively, pursuant to the foregoing provisions for the unexpired term. Members of the Planning Commission shall be removable for cause by the appointing authority upon written charges and after public hearing before the Board of Commissioners. The Board of Commissioners shall, from time to time, determine the amount of compensation, if any, to be paid to the members of the Planning Commission. None of the members shall hold any other public office or position in the County, except as authorized by Section I.

**Section V.** For the purpose of Section IV of this Planning Commission Ordinance, any one or more of the following shall constitute a reason for removing a Planning Commission member "for cause."

1. Participating as a Planning Commissioner at any regular or called meeting of The Planning Commission under the influence of intoxicants, alcohol, or un-prescribed or illegal drugs or using, possessing or for selling the same.
2. Charge and accusation for a misdemeanor, which would adversely affect performance of duties as Planning Commissioner.
3. Conduct unbecoming a Planning Commissioner, including, but not limited to, demeaning conduct or use of profanity or vulgar language during any open public meeting of The Planning Commission.
4. Indictment of a felony.
5. Unauthorized use of County property, County telephones or other County communication equipment.
6. Filing false expense reports.
7. Three consecutive absences from Planning Commission Meetings without obtaining prior approval of the Planning Commission.
8. Discourteous treatment of members of the public during Planning Commission Meetings.

Charges for "removable for cause" may be made by any County Commissioner, any Planning Commissioner or by any Citizen. Any such charges must be made in writing, dated, signed and delivered to the Appointing Authority. A copy of any such charge must be mailed to the person making the charge to the Planning Commissioner against whom the charge is directed. Upon receipt of any such charge the Appointing Authority will then set a date and time for a public hearing. The County Manager will notify both the party making the charge and the Planning Commissioner against whom the charges are directed of the date, time and place of the public hearing. The Planning Commissioner against whom charges are made shall have at least two weeks' notice prior to the date set for the public hearing to prepare for the public hearing.

In the event after the public hearing, the Appointing Authority, by majority vote, removes the Planning Commissioner, the Appointing Authority will then proceed to fill the vacancy for the unexpired term pursuant to the foregoing provisions of this Ordinance. The filing of each such vacancy shall require approval of at least three (3) of the other members of the Board of Commissioners as provided in Section IV of this Ordinance.

**Section VI.** The Planning Commission shall elect one of its members as Chairman, who shall serve for one (1) year or until he (she) is reelected or his (her) successor is elected, and may elect a Vice-Chairman to serve in the absence or disqualification of the Chairman. The Planning Commission may adopt its own rules of order and rules of procedure so long as they are not in conflict with the laws of Georgia or any provision of this ordinance or resolution of the Board of Commissioners. Meetings of the Planning Commission shall be held at the call of the Chairman, or the Vice-Chairman serving in his absence or disqualification and at such other times as a majority of the members may determine. The Chairman, or in his absence the Vice-Chairman or member presiding, may administer oaths and compel the attendance of witnesses by subpoenas. The Planning Commission shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Planning Commission and shall be a public record.

**Section VII.** Proposals may be submitted by the Board of Commissioners of Spalding County or by any citizen of Spalding County having a substantial interest in the matter proposed, as more particularly set out in the "Amendment Procedure" of the Spalding County Zoning Ordinance. Any aggrieved party, having a substantial interest in any action or decision of the Planning Commission disapproving his proposed rezoning of property, may appeal such zoning decision or action of the Planning Commission to the Board of Commissioners of Spalding County.

**Section VIII.** The Planning Commission shall have the following powers and duties:

- a. To receive applications proposing or requesting amendments of the Spalding County Zoning Ordinance, to make findings and recommendations thereon, to hold public hearings and give notice thereto, and to make reports and recommendations to the Board of Commissioners.
- b. When so authorized by resolution of the Board of Commissioners, to call, conduct and hold any public hearing, as may be required to be held by the governing authority of Spalding County, in lieu of the Board of Commissioners holding such public hearing; to make findings, conclusions and recommendations thereon; and to make reports or recommendations thereafter to the Board of Commissioners.
- c. To initiate, conduct and direct from time to time, and at least once every five (5) years, a comprehensive study of the Spalding County Zoning and Building Regulations and to make reports of such studies and its findings, with or without recommendations, to the Board of Commissioners.
- d. To periodically review and examine the Official Zoning Map of Spalding County; to supervise the making of all amendments of the official zoning map of Spalding County and to promptly direct attention of any error noted in the map to the custodian thereof and to the Clerk of the Board of Commissioners of Spalding County.
- e. In addition thereto, the Planning Commission shall have such powers as may be necessary or convenient to enable it to perform its functions and duties and to promote the planning for Spalding County, including the authority to confer with officers and planning personnel of municipal corporations within the county relative to planning for the entire county.

\*See: Section 2404 of the Zoning Ordinance of Spalding County.

**Section IX.** This Appendix B shall be effective March 15, 1994, the date of its adoption.

**Adopted at First Reading on March 1, 1994**

**Adopted at Second Reading on March 15, 1994.**

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Chairman  
Spalding County Board of Commissioners  
Spalding County, Georgia

Approved As To Legal Sufficiency:

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County Attorney  
Spalding County, Georgia

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County Clerk  
Spalding County, Georgia